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**MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT  
SENTENCE BY A PERSON IN FEDERAL CUSTODY**

<b>United States District Court</b>	<b>District</b>
<b>Name (under which you were convicted):</b>	<b>Docket or Case No:</b>
LEAN RENEE BINNEY	16-3039-06-CR-S-MDH
<b>Place of Confinement:</b>	<b>Prisoner No:</b>
Greenville IL FPC	16677-045
<b>Movant</b>	<b>United States of America</b>
LEAN RENEE BINNEY	

**MOTION**

1. (a) Name and location of court that entered the judgment of conviction you are challenging:  
 United States District Court Western District of Missouri  
 1400 US Courthouse 222 John Q Hammons Pkwy Springfield MO 65806
- (b) Criminal docket or case number (if you know): 16-3039-06-CR-S-MDH
2. (a) Date of the judgment of conviction (if you know): UNSURE
- (b) Date of sentencing: 4-18-2018
3. Length of sentence: 94 month
4. Nature of crime (all counts):
5. (a) What was your plea: (Check one)
 

(1) Not guilty ☐
(2) Guilty ☒
(3) Nolo contendere (no contest) ☐
- (b) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, what did you plead guilty to and what did you plead not guilty to?  
 NA

6. If you went to trial, what kind of trial did you have? (Check one) NA Jury ☐ Judge Only ☐

7. Did you testify at a pretrial hearing, trial, or post-trial hearing? Yes ☐ No ☒

8. Did you appeal from the judgment of conviction? Yes ☐ No ☒

9. If you did appeal, answer the following:

(a) Name of court: NA

(b) Docket or case number (if you know): NA

(c) Result: NA

(d) Date of result (if you know): NA

(e) Citation of the case (if you know): NA

(f) Grounds raised:

(g) Did you file a petition for certiorari in the United States Supreme Court? Yes ☐ No ☒

If "Yes," answer the following:

(1) Docket or case number (if you know):

(2) Result:

(3) Date of result (if you know):

(4) Citation to the case (if you know):

(5) Grounds raised:

10. Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications concerning this judgment of conviction in any court?

Yes ☐ No ☒

11. If your answer to Question 10 was "Yes," give the following information:

(a)(1) Name of court:

(2) Docket of case number (if you know):

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☒

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(b) If you file any second motion, petition, or application, give the same information:

(1) Name of court: \_\_\_\_\_

(2) Docket of case number (if you know): \_\_\_\_\_

(3) Date of filing (if you know): \_\_\_\_\_

(4) Nature of the proceeding: \_\_\_\_\_

(5) Grounds raised: \_\_\_\_\_

(6) Did you receive a hearing where evidence was given on your motion, petition, or application?

Yes ☐ No ☒

(7) Result: \_\_\_\_\_

(8) Date of result (if you know): \_\_\_\_\_

(c) Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, petition, or application?

(1) First petition Yes ☐ No ☒

(2) Second petition Yes ☐ No ☒

(d) If you did not appeal from the action on any motion, petition, or application, explain briefly why you did not:

12. For this motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground.

GROUND ONE: Violated Constitutional Right to effective Counsel, convinced me to plead guilty to a crime I was innocent of.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim):

After 2 years of planning on going to trial, 3 weeks before trial, she told me that once the jury finds out that I was on federal paper, they would find me guilty. Convinced me into pleading guilty to a crime I told her I was innocent of. She said to trust her that she knew what she was doing.

(b) Direct Appeal of Ground One:

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

NA

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue on appeal?

Yes ☐ No ☒

(6) If your answer to question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result: (attach a copy of the court's opinion or order if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Did not file direct appeal

GROUND TWO: Violated constitutional right to effective counsel. Didn't introduce evidence  
(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim):

Never introduced hair folical test into evidence, when the prosecutor was trying to make me out to be a drug user over dirty sweat patches

(b) Direct Appeal of Ground Two:

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue on appeal?

Yes ☐

No ☒

(6) If your answer to question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result: (attach a copy of the court's opinion or order if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Did not file direct appeal

~~GROUND THREE: Violated constitutional right to effective counsel. Didn't obtain statements from credit card companies for evidence~~

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim):

I told her that I used my own money from my credit cards at the casino. She never obtained copies from my credit card companies, to show that I was not laundering money

**(b) Direct Appeal of Ground Three:**

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

NA

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes", state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(5) If your answer to Question (c)(4) is "Yes," did you raise this issue on appeal?

Yes ☐ No ☒

(6) If your answer to question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed:

Docket case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result: (attach a copy of the court's opinion or order if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

**GROUND FOUR:** ~~Violated constitutional right to effect Counsel.~~ never obtained copies of tax returns for evidence

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

never obtained a copy of my tax returns showing I paid taxes on my winnings and showing I didn't spend the large amount of money yearly as the government claimed I did at the casino

(b) Direct Appeal of Ground Four:

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒



(5) If your answer to Question (c)(4) is "Yes," did you raise this issue on appeal?

Yes ☐ No ☒

(6) If your answer to question (c)(4) is "Yes," state:

Name and location of the court where the appeal was filed: \_\_\_\_\_

Docket case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result: (attach a copy of the court's opinion or order if available):

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

13. Is there any ground in this motion that you have not previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:

NA

14. Do you have any motion, petition, or appeal now pending (filed and not decided yet) in any court for the judgment you are challenging? Yes ☐ No ☒

If "Yes," state the name and location of the court, the docket or case number, the type or proceeding, and the issues raised:

15. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment you are challenging:

- (a) At preliminary hearing: Erica Mynarich 901 E St Louis Street Suite 1600 Spalding mt 65806
- (b) At arraignment and plea: " "
- (c) At trial: No trial

(d) At sentencing: Erica Myrarch 901 St Louis St 1600 suite Spfld mo 65806

(e) On appeal: \_\_\_\_\_

(f) In any post-conviction proceeding: \_\_\_\_\_

(g) On appeal from any ruling against you in a post-conviction proceeding: \_\_\_\_\_

16. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? Yes ☐ No ☒

17. Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging? Yes ☐ No ☒

(a) If so, give name and location of court that imposed the other sentence you will serve in the future:

(b) Give the date of the other sentence was imposed: \_\_\_\_\_

(c) Give the length of the other sentence: \_\_\_\_\_

(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future? Yes ☐ No ☒

18. TIMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitation as contained in 28 U.S.C § 2255 does not bar your motion.\* (see below) \_\_\_\_\_

\*The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. §2255, paragraph 6, provides in part that:

A one-year period limitations shall apply to a motion under this section. The limitation period shall run from the latest of:

- (1) the date on which the judgment of conviction became final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;

- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

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Therefore, Movant asks that the Court grant the following relief:

re-evaluation of Criminal points and sentencing noted in each ground  
or any other relief to which movant is entitled.

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Signature of Attorney (if any)

I, declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Motion Under 28 U.S.C. § 2255 was placed in the prison mailing system on 8-22-2018.  
(month, date, year)

Executed (signed) on 8-21-2018 (date)

Leah Burren  
Signature of Movant

If the person signing is not movant, state relationship to movant and explain why movant is not signing this motion.

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

**GROUND FIVE:**

violated constitutional right to effective counsel. Told me the government wouldn't take prints. One year later they did

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

at the beginning of indictment, I requested finger prints to be taken off bags, and my attorney said the government wouldn't do it. One year later she requested it and they finally checked for prints. Had they done it sooner, maybe they would have found readable prints to help my case

(b) Direct Appeal of Ground Five

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) **Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND ~~Six~~ Violated constitutional right to effective counsel. MIS-led me as to my criminal history points for pleading out to money laundering  
(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):  
told me I wouldn't be sentenced under the drug guideline since I didn't plead to the drug conspiracy. Said I would be sentenced to 41 months or time served for money laundering

(b) Direct Appeal of Ground ~~Six~~

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

~~GROUND SEVEN: violated constitutional right to effective counsel. Didn't question 2 co-defendants who wrote false statements on me~~  
(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

didn't put the 2 people that wrote statements on the stand at the sentencing hearing to question them about there statements

**(b) Direct Appeal of Ground ~~Seven~~**

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND eight: Violated constitutional right to effective counsel. Didn't put a co-defendant on the stand as a witness like I ask her too.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

I ask numerous times about putting my ex-husband on the stand. my attorney kept telling me that he could take the fifth, but she never tried

(b) Direct Appeal of Ground eight

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No



(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No



(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No



(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No



(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

**GROUND**

nine: violated Constitutional right to effective counsel. Didn't put my P.O. on the stand like she said she was going to do

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Didn't put my P.O. on the stand to question her about my clean W's or my good home visits. She told me she was going to use her testimony

**(b) Direct Appeal of Ground nine**

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒



(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND ten: violated constitutional right to effective counsel. Didn't argue for minor role

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

didn't argue the fact that the government had me as a mid-level participant, when my husband's girlfriend who lived with him was listed as a low-level participant. I was never caught selling meth, and Gayle was. Didn't argue for minor role

(b) Direct Appeal of Ground ten

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if available):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND eleven: violated constitutional right to effective counsel. Didn't mention that my prints were not on any of the baggies

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

didn't mention at sentencing hearing that my prints were not on any of the drug bags

(b) Direct Appeal of Ground ~~eleven~~: eleven

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND twelve: violated constitutional right to effective counsel. Mis-lead me into signing a guilty plea

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

mis-lead me into pleading guilty to a crime I told her I did not committ. She told me to trust her

(b) Direct Appeal of Ground ~~one~~ twelve

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND thirteen: Violated constitutional right to effective counsel. Never argued that my name was not on the list of people that Pat sold to

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Pat Brigaudin listed the people he sold drugs to. I was not on the list, and my attorney never argued that

(b) Direct Appeal of Ground ~~thirteen~~: thirteen

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐

No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐

No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐

No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐

No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND Fourteen: violated constitutional right to effective counsel. Didn't try to get Hoffmann's testimony thrown out after he was caught in numerous lies on the stand.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

didn't argue the fact that the government had bogus statements from 2 defendants that were not credible witnesses, plus one witness lied on the stand and my attorney never addressed the lies to the court. She even proved the lies with documents after the witness left the courtroom.

(b) Direct Appeal of Ground Fourteen

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(7) If your answer to Question (a)(4) or Question (c)(6) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

**GROUND Fifteen:**

Violated constitutional right to effective counsel. Told the court that I never told her if I was or was not using drug, when in fact I told her I was not

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

told the court she didn't know if I was using drugs, when in fact I specifically told her I had not used any drugs at all. In fact all of my UA's tested clean

**(b) Direct Appeal of Ground Fifteen**

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

**(c) Post-Conviction Proceedings:**

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_):

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:

Didn't file direct appeal

GROUND sixteen: Violated Constitutional right to effective counsel. Advised me to plea for a crime I told her I didn't commit.

(a) Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

Knowingly advised me to commit perjury and sign a plea agreement to a crime I told her I never committed. I even wrote her a letter later, telling her I did not feel right about lying to the judge when he ask me if I committed the crime and I told him I did.

(b) Direct Appeal of Ground ~~Sixteen~~ sixteen

(1) If you appealed from the judgment or conviction, did you raise this issue?

Yes ☐ No ☒

(2) If you did not raise this issue in your direct appeal, explain why:

(c) Post-Conviction Proceedings:

(1) Did you raise this issue in any post-conviction motion, petition, or application?

Yes ☐ No ☒

(2) If your answer to Question (c)(1) is "Yes," state:

Type of motion or petition: \_\_\_\_\_

Name and location of the court where the motion or petition was filed: \_\_\_\_\_

Docket or case number (if you know): \_\_\_\_\_

Date of the court's decision: \_\_\_\_\_

Result (attach a copy of the court's opinion or order, if \_\_\_\_\_): \_\_\_\_\_

(3) Did you receive a hearing on your motion, petition, or application?

Yes ☐ No ☒

(4) Did you appeal from the denial of your motion, petition, or application?

Yes ☐ No ☒

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Leah Binney  
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United States

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